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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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FERNANDO SOSA-PINTOR

*versus*

UNITED STATES OF AMERICA

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§ CIVIL ACTION NO. 4:19CV33

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§

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On April 22, 2019, the report of the Magistrate Judge [Dkt. 4] was entered containing proposed findings of fact and recommendations that Petitioner Fernando Sosa-Pintor's "Motion for Return of Seized Property Pursuant to Federal Rule 41(g) and under 28 U.S.C.S. § 1331" ("Motion for Return of Property") be granted in part and denied in part.

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, it is **ORDERED** that Petitioner's Motion for Return of Property is **GRANTED IN PART AND DENIED IN PART**.

It is further **ORDERED** that Petitioner is not entitled to the return of the BLK Element 55" Television. The Government has demonstrated it has a legitimate reason to retain such item at this time.

It is further, **ORDERED** that Petitioner is entitled to the return of the following specific items of property:

1. Samsung 19" flat screen monitor, bearing serial number B140022830008375;
2. Dish cable box, bearing serial number E403446L01191E;
3. Arris TM8 cable modem, bearing serial number 3YBRF9CR204354;
4. Arris CM820 cable controller, bearing serial number D3UBRI48B111139;
5. JVC camcorder with black back, bearing serial number GZMG1304;
6. Apple iPhone, model A1532, FCC ID#BCG-E2644A;
7. Seven compact discs;
8. MacBook Pro laptop, bearing serial number C02GKOXADJRJC;
9. Seven Memorex DVDs and CDs; and
10. Twenty eight loose CDs and DVDs.

It is further **ORDERED** that Eduardo Sosa is designated to pick up the aforementioned items of property on Petitioner's behalf from the Hopkins County Sheriff's Office. Mr. Sosa shall arrange to pick up the aforementioned items of property within twenty (20) days of this Order.

**IT IS SO ORDERED.**

**Signed this date**

**May 24, 2019**



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE